

REMARKS/ARGUMENTS

Claims 1 and 3-12 were pending. Claim1 has been amended, and no new claims have been added. No new matter has been introduced with this amendment. Reconsideration of the present application is respectfully requested in light of the foregoing amendments and the following remarks.

Obviousness-type Double Patenting over the '190 patent

Claim 1 has been rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being obvious over Claim 1 of U.S. Patent No. 7,211,190 ("the '190 patent"). Applicant notes that upon allowance of the claims in the instant application, a terminal disclaimer can be filed to make the term of the patent issuing from the instant application contiguous with the term of the '190 patent. Applicant is prepared to do so upon allowance of the claims in the instant application.

Claim Rejections 35 U.S.C. § 102

Claims 1 and 3-12 have been rejected under 35 U.S.C. 102(b) for allegedly being anticipated by Kielbowicz (US 5,759,398). In order to further the prosecution of the presently pending claims, Applicant has amended claim 1 as set forth above. Claim 1 as amended requires that the *"screen wall element is built up of one or more modular cassette units having rectangular sides"*.

Applicant submits that claim 1 as amended is not anticipated by Kielbowicz because the cassette units disclosed in Kielbowicz are annular and have annular side wall sections (e.g. see, col. 2 line 33 and the abstract). Kielbowicz does not disclose the claimed cassette unit having rectangular sides.

In addition, Kielbowicz's cassette units only contain two axial end wall sections 11 and 12 (col. 2, lines 37-39). Each cassette unit is spaced an axial distance B from the adjacent cassette unit 8, or from flange 4 and an end wall 5 (see Fig. 2 and col. 2, lines 59-61). Thus, adjacent end wall sections 11 and 12 that are spaced apart by a distance B do not belong to the same cassette unit. Therefore, for this reason Kielbowicz does not disclose a cassette unit that

contains intermediate walls arranged between and apart from the spaced apart walls and so, the sequence of walls in Kielbowicz's cassette unit is also different.

At least for the reasons set forth above, Applicant submits that claim 1 as amended is not anticipated by Kielbowicz. The dependent claims 3-12 which include every feature and element of amended independent claim 1 are also patentable at least because they depend from a patentable claim.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-273-7512 (direct).

Respectfully submitted,



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